



# ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು  
ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆ

ಭಾಗ - ೧ Part - I	ಬೆಂಗಳೂರು, ಶುಕ್ರವಾರ, ೧೯ ಜೂನ್, ೨೦೨೦ (ಜ್ಯೇಷ್ಠ, ೨೯, ಶಕವರ್ಷ, ೧೯೪೨) Bengaluru, FRIDAY, 19, JUNE, 2020 (Jyestha, 29, ShakaVarsha, 1942)	ನಂ. ೨೧೩ No. 213
---------------------	---	--------------------

## Proceedings of the Government of Karnataka

**Subject:** Nomination for the post of Chairman, Members and appointment of Member Secretary to Karnataka State Pollution Control Board under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) - issue of guidelines -reg.

\*\*\*\*\*

### Preamble:

The Central Government has enacted the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) to provide for the prevention and control of water pollution and maintaining or restoring of wholesomeness, and for establishment of boards for the prevention and control of water pollution, and for conferring on and assigning to such boards powers and functions relating thereto and for matters connected there with.

Section 4 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) provides for constitution of State Boards by the State Government along with nomination to the post of Chairman, Members and appointment of Member Secretary.

Sub section 2 (a) of section 4 provides for nomination of a person having special knowledge or practical experience in respect of matters relating to Environmental Protection or a person having knowledge and experience in administering institutions dealing with the matters aforesaid as Chairman of the State Pollution Control Board by the State Government.

Section 5 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) provide for Terms and Condition of service of Members including Chairman.

The Hon'ble Supreme Court of India vide Order dated 22<sup>nd</sup> September 2017 in Civil Appeal No. 1359/2017 (Techi Tagi Tara versus Rajendra Singh Bhandari and others) have

directed all the State Governments to frame appropriate guidelines or recruitment rules within 6 months considering the institutional requirement of the State Pollution Control Board and the law laid down by the Hon'ble Supreme Court. The Hon'ble Supreme Court has also emphasized that the persons who hold these institutions should have a sense of vision and expertise to implement various laws relating to pollution. Various Committees like i) The Bhattacharia Committee, 1984; ii) The Belliappa Committee, 1990; iii) The ASCI Study, 1994 and iv) Study of the Sub Group, 1994, have all emphasized the need for the State Government to appoint persons whose expertise could be utilized in preserving and protecting the environment including air and water.

In view of the facts and circumstances stated in the preamble, the State Government hereby issues guidelines in accordance with the directions of the Hon'ble Supreme Court of India.

Hence the Order.

**Government Order No. FEE 230 EPC 2017, Bengaluru**  
**Dated:19.06.2020.**

In view of the facts and circumstances narrated in the preamble, the State Government is pleased to issue the "Guidelines for nomination, Terms and Conditions of service of Chairman, Members and appointment of Member Secretary of the Karnataka State Pollution Control Board under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974)", as per annexure to this Government Order with immediate effect.

By Order and in the name of the  
Governor of Karnataka,

**(Muralidhar S. Tallikeri)**  
Under Secretary to Government  
Forest, Ecology and Environment Dept.  
(Ecology & Environment)

**ANNEXURE TO GOVERNMENT ORDER NO. FEE 230 EPC 2017,**  
**DATED:19.06.2020**

**Guidelines for nomination, Terms and Conditions of service of Chairman, Members and appointment of Member Secretary of the Karnataka State Pollution Control Board**

1. These guidelines shall come into force on the date of their publication in the Official Gazette.

- 
2. The State Government shall nominate a person having special knowledge or practical experience in respect of matters relating to environmental protection or a person having knowledge and experience in an institution dealing with the matters aforesaid, as Chairman of the State Board in accordance with the provisions of sub-section 2 of section 4 of the Water (Prevention and Control of Pollution) Act, 1974, on full time basis, for a period of three years from the date of nomination.
  3. No person shall be eligible for being considered for nomination as the Chairman unless he/she:
 

possesses a Master's degree in Environment Science or a Master's Degree in Environment Engineering or an equivalent degree or allied sciences from a recognized University or institute and has knowledge and experience in areas related to environmental protection or has been a part of administration in a Government Department or Organization or University or Institute dealing with environmental issues (including issues of air and water pollution, waste management, natural resources management and environmental impact assessment)
  4. Age limit: The maximum age limit for nomination of chairman shall be, not exceeding 56 years as on the last date for the receipt of applications.
  5. The Chairman shall be selected by a Search-cum-Selection Committee consisting of the following, namely
 

a	Chief Minister	Chairman
b	Minister for Forest, Ecology & Environment	Vice Chairman & Member
c	Chief Secretary to Government	Secretary and Convener of the Committee
  6. For the above purpose, three months prior to the expiration of the term of the Chairman, the Department of Forest, Ecology and Environment shall call for applications from interested persons by publishing in two National newspapers (one each in Kannada and English) in the format as stipulated by the Department and shall also publish the same in the Department website.
  7. The Search cum selection Committee shall go through all the eligible applications and select suitable candidate after briefly recording the reasons.
  8. The State Government shall depute a Member Secretary to the Karnataka State Pollution Control Board, from among the all India Service officers of Senior/Super time Scale.

9. The State Government shall nominate non-official members to the Board who represent or possess special knowledge or practical experience in Agriculture or Fishery or Forestry or Industry or Trade or Engineering or any subject related to Natural Resource Management and Control of Pollution and has practical experience in the aforesaid field.
10. Any vacancy caused by resignation, removal or otherwise of the Chairman shall be filled by fresh nomination in accordance with these Rules. However, till such period, the Additional Chief Secretary of the Forest, Ecology and Environment Department or the Principal Secretary to Government (Ecology and Environment), Forest, Ecology and Environment Department shall be the Chairman of the Board for the remaining period or until a new Chairman is duly nominated by the State Government enters upon the office.
11. Any vacancy caused by the resignation or removal of any non-official Member if the remaining term is more than six months, the Members so appointed shall be for the remaining term. The State Government, however, may opt for not filling the vacancy if it deems fit without assigning any reason.
12. The non-official Members of the Board shall be paid a sitting fee at the rate approved by the Government from time to time.
13. The salary and other emoluments of the Chairman shall be as per the orders of the Department of Public Enterprises, Government of Karnataka from time to time.

**(Muralidhar S. Tallikeri)**  
Under Secretary to Government  
Forest, Ecology and Environment Dept.  
(Ecology & Environment).